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7 Nathan Damigo

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10 **UNITED STATES BANKRUPTCY COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**  
12 **SACRAMENTO DIVISION**  
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14 In re:  
15 **NATHAN BENJAMIN DAMIGO,**

16 **Debtor**

17 Chapter Number: 7

18 **ELIZABETH SINES, SETH**  
19 **WISPELWEY, MARISSA BLAIR,**  
20 **TYLER MAGILL, APRIL MUNIZ,**  
21 **HANNAH PEARCE, MARCUS**  
22 **MARTIN, NATALIE ROMERO,**  
23 **JOHN DOE, AND CHELSEA**  
24 **ALVARADO**

25 **Plaintiffs**

26 **v.**

27 **NATHAN BENJAMIN DAMIGO**

28 **Defendant**

**Case No. 19-90003-E-7**  
**Hon. Judge Christopher Klein**

**DEBTOR NATHAN DAMIGO’S**  
**STATEMENT OF ISSUES,**  
**DESIGNATION OF RECORD, AND**  
**STATEMENT REGARDING**  
**TRANSCRIPT**

**Adv. Pro. No. 19-09006-E**

Hearing Date: October 29, 2025  
Hearing Time: 10:00 a.m.

1 In accordance with Federal Rule of Bankruptcy Procedure 8009, Debtor and  
2 Appellant Nathan Damigo provides the following Statement of Issues, Designation of  
3 items to be included in the record on appeal, and statement regarding the ordering of  
4 a transcript.  
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8 **STATEMENT OF ISSUES**

- 9 1) Whether the bankruptcy court erred in holding, based on collateral estoppel  
10 principles and the jury verdict, jury instructions, and amended judgment in the  
11 *Sines, et al. v. Kessler, et al.*, Case No. 3:17-cv-00072-NKM (Western District  
12 of Virginia) case that the compensatory and nominal damages awarded against  
13 Mr. Damigo in that case are nondischargeable under 11 U.S.C. § 523(a)(6).  
14  
15 2) Whether the bankruptcy court erred in holding, based on collateral estoppel  
16 principles and the jury verdict, jury instructions, and amended judgment in the  
17 *Sines, et al. v. Kessler, et al.*, Case No. 3:17-cv-00072-NKM (Western District  
18 of Virginia) case that the punitive damages awarded against Mr. Damigo in that  
19 case are nondischargeable under 11 U.S.C. § 523(a)(6).  
20  
21 3) Whether the bankruptcy court erred in holding, based on collateral estoppel  
22 principles and the jury verdict, jury instructions, and amended judgment in the  
23 *Sines, et al. v. Kessler, et al.*, Case No. 3:17-cv-00072-NKM (Western District  
24 of Virginia) case that Reimbursable Expenses awarded against Mr. Damigo in  
25 that case are nondischargeable under 11 U.S.C. § 523(a)(6).  
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**DESIGNATION OF ITEMS FOR INCLUSION IN RECORD ON APPEAL**

**A.** From Chapter 7 Bankruptcy Petition # 19-90003, *In re Nathan B. Damigo*:

1. List of all docket entries
2. Docket Entry (“DE”) No. 1, Damigo Chapter 7 Voluntary Petition, dated 1/02/2019
3. DE No. 20, Amended Schedule of Assets, dated 02/11/2019
4. DE No. 21, Notice of Report of No Distribution, dated 02/15/2019

**B.** From Adversary Proceeding 19-09006, *Sines et al. v. Damigo*:

1. List of all docket entries
2. DE No. 1, Initial Complaint
3. DE 76, Answer to Initial Complaint, dated 03/13/2025
4. DE 82, Amended Complaint, dated 04/03/2025
5. DE 87, Answer to Amended Complaint, dated 04/22/2025
6. DE 89, Motion for Summary Judgment by Nathan Damigo, dated 05/08/2025
7. DE 91, Memorandum in Support of Damigo Motion for Summary Judgment, dated 05/08/2025
8. DE 93, Motion for Summary Judgment by Plaintiffs, dated 05/08/2025
9. DE 95, Declaration by Mr. Eisenbach in support of Joint Statement of Undisputed Facts, dated 05/08/2025
10. DE 97, Memorandum in Support of Plaintiffs’ Motion for Summary Judgment, dated 05/08/2025

11. DE 98, Joint Exhibits 1-5 in support of Joint Statement of Undisputed Facts,  
dated 05/08/2025
12. DE 100, Joint Exhibits 6-17 in support of Joint Statement of Undisputed  
Facts, dated 05/08/2025
13. DE 101, Joint Stipulation of Undisputed Facts, dated 05/08/2025
14. DE 107, Damigo's Opposition to Plaintiffs' Motion for Summary Judgment,  
dated 6/11/2025
15. DE 108, Plaintiffs' Opposition to Damigo's Motion for Summary Judgment,  
dated 6/11/2025
16. DE 110, Plaintiffs' Reply Memorandum in Support of Motion for Summary  
Judgment, dated 6/18/2025
17. DE 112, Damigo's Reply in Support of Motion for Summary Judgment,  
dated 6/18/2025
18. DE 144, Court's Memorandum Opinion regarding cross motions for  
summary judgment, dated 8/29/2025
19. DE 145, judgment / Order Granting in Part, denying in part each party's  
motion for summary judgment
20. DE 150, Judgment Against Nathan Damigo, dated 8/29/205
21. DE 158, Damigo Notice of Appeal, dated 09/10/2025
22. DE 164, Damigo Motion to Stay Judgment Pending Appeal, dated  
09/12/2025.

**STATEMENT REGARDING TRANSCRIPT ORDER**

Mr. Damigo states and certifies that he has not ordered any transcripts and does not intend to do so.

Dated: September 24, 2025

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
Glen K. Allen, Esq.  
5423 Springlake Way  
Baltimore, MD 21212  
Attorney for Nathan Damigo, Debtor

**CERTIFICATE OF SERVICE**

I hereby certify that on September 24, 2025 true and accurate copies of the foregoing were served via ECF procedures of this Court to all counsel of record.

\_\_\_\_\_/s/\_\_\_\_\_  
Glen K. Allen, Esq.  
5423 Springlake Way  
Baltimore, MD 21212  
Attorney for Nathan Damigo, Debtor